

**BID SOLICITATION NOTICE - District 7  
FLORIDA DEPARTMENT OF TRANSPORTATION  
CONSTRUCTION AND MAINTENANCE PROGRAMS**

Tampa, Florida  
July 12, 2010  
Advertisement No. 1

Bids for construction projects listed in this Bid Solicitation Notice with a budget of \$5 million or more must be submitted using Bid Express only. No other means of submission of bids will be accepted. Please visit the Contracts Administration Website at: <http://www.dot.state.fl.us/cc-admin> for more information on Bid Express.

Unless otherwise instructed, bids for construction projects with a budget of less than \$5 million and all maintenance projects listed in this Bid Solicitation Notice can be submitted using Bid Express or can be submitted at any of the following Florida Department of Transportation location(s) until 2:30 pm Local Time on **Wednesday, August 11, 2010**. To obtain a Digital ID please contact Bid Express at <http://www.bidx.com>.

Location	Address	Room Number
District 7	11201 N. McKinley Dr. Tampa, Florida 33612	Executive Conference Room B-1, District 7 Headquarters (used for Hand-delivery)
District 7	11201 N. McKinley Dr. Tampa, Florida 33612	Attention of John Ellis Room B-300, District 7 Headquarters (used for Mail-delivery)

The sealed bids received in the above referenced location(s) will be publicly opened and the Bid totals for each bid submitted will be read aloud at 2:30 pm **August 11, 2010** in the Executive Conference Room, District 7 Headquarters, Tampa, Florida. Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should send an e-mail to: [contracts.admin@dot.state.fl.us](mailto:contracts.admin@dot.state.fl.us) or call telephone number (813) 975-6036. Special accommodation requests under the Americans with Disabilities Act should be made at least seven days prior to the public meeting. If the budget amount is greater than \$250,000.00 on construction projects, the contractor must be prequalified as required by Florida Statute 337.14(1) and Rule Chapter 14-22. Bidders may obtain preliminary bid results at: <http://www3.dot.state.fl.us/TransportLASBidLetting/>, select district then click on appropriate date.

**DEADLINE for PROPOSALS and PROPOSAL HOLDERS LIST**

The deadline for obtaining bid packages shall be 24 hours prior to scheduled letting date. A list of plan holders may be obtained by visiting the District Contracts Administration website at: <http://www.dot.state.fl.us/contractsadministrationdistrict7/>, and select letting date from the District 7 Lettings Menu. Please note that the list of proposal holders is confidential two working days from the deadline for obtaining bid packages (or three working days prior to scheduled letting date) and the list of Proposal, Plan and Specification Holders will be deleted and no longer available, per Florida Statutes 337.168(2).

**-----NOTE-----**

**Proposals will not be issued after 2:30 pm Local Time on Tuesday, August 10, 2010.**

**Document Ordering Information**

Unless otherwise specified, orders for these documents should be directed to John D. Ellis, District Contracts Administrator, Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612, at Fax: (813) 975-6191. Checks should be made payable to the State of Florida Department of Transportation. All orders must include a FAX Order Form (375-000-02) with your payment. **Contractors that want to charge to a credit card (American Express, Visa, MasterCard and Discover accepted) can FAX orders to our secure Fax (813) 975-6611 by using the Fax Order Form noted above.** Orders should be placed early enough to allow a minimum of three (3) working days for processing time and delivery. The Fax Order Form can be downloaded from <http://www.dot.state.fl.us/contractsadministrationdistrict7/>. A current State of Florida Vendor Registration Number is required for order processing; please visit <https://vendor.myfloridamarketplace.com/> for more information or call 1-866-352-3776 for assistance. No refund will be made. Phone orders will no longer be accepted. If you wish to pick up your bid package, place your Fax order first and we will call you when it is ready for pick-up.

**PREQUALIFICATION**

A contractor desiring to bid for the performance of any construction contract in excess of \$250,000.00 must first be certified by the Department as qualified in accordance with Section 337.14(1), Florida Statutes, and Rule 14-22, Florida Administrative Code. Maintenance contracts do not require a contractor to have a certificate of qualification, unless stipulated in the project description and specifications. If deemed necessary by the Department, certain maintenance contracts will contain specific requirements for maintenance contractor eligibility.

## **BID REJECTION**

Bidders are hereby notified that all bids on any of the following projects are likely to be rejected if the lowest responsive bid received exceeds the engineer's estimate by more than ten percent (10%). In the event any of the bids are rejected for this reason, the project may be deferred for re-advertising. In addition, award of all federally funded projects will be subject to Federal Highway Administration concurrence.

## **PROTEST RIGHTS**

Pursuant to Section 337.11, Florida Statutes, any person adversely affected by a **bid solicitation** shall file both a notice of protest and bond within 72 hours of the receipt of the bid documents, and shall file a formal written protest within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid solicitation pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid solicitation that requires qualification of bidders, the Bond shall be \$5,000. For an action protesting a bid solicitation for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be \$2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

Pursuant to Section 337.11, Florida Statutes, any person adversely affected by a **bid rejection or contract award** shall file both a notice of protest and bond within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely effected person must file both the notice of protest and bond within 72 hours after receipt of the notice of intent. A formal written protest must be filed within ten days after filing the notice of protest. Any person who files a notice of protest as to a bid rejection or contract award pursuant to this rule shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid rejection or contract award that requires qualification of bidders, the Bond shall be equal to one percent of the lowest bid submitted or \$5,000, whichever is greater. For an action protesting a bid rejection or contract award for which bidders are not required to be prequalified by the Department to be eligible to bid, the bond shall be \$2,500. The required notice of protest, bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, Mail Station 58, Room 550, 605 Suwannee Street, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

A protest is not timely filed unless the notice of protest, bond and the formal protest are each received by the Clerk of Agency Proceedings within the required time limits. A protest which is filed prematurely will be deemed abandoned unless timely renewed.

## **INSURANCE**

The successful bidder shall submit current general liability insurance and workman's compensation insurance certificates for the duration of the contract in the dollar amounts and manner specified in the most current edition of the Department's Standard Specifications for Road and Bridge Construction. Insurance companies must be authorized to do business in the State of Florida. Proof of such insurance shall be filed with the District Contracts and Procurement Office before the contract can be executed. BE SURE THAT THE CONTRACT NUMBER IS ON EACH INSURANCE CERTIFICATE.

## **ADDENDA**

No negotiations, decisions, or actions will be initiated or executed by a potential bidder as a result of any oral discussion with a State employee. Only those communications which are in writing from the Department will be considered as a duly authorized expression on behalf of the Department. Notices of changes (addenda) will be posted on the District Contracts Administration website at: <http://www.dot.state.fl.us/contractsadministrationdistrict7/>, and select letting date from the District 7 Lettings Menu. It is the responsibility of all potential bidders to monitor this site for any changing information prior to submitting their bid. All addenda will be acknowledged by signature and subsequent submission of addenda with the bid when so stated in the addenda.

### **PREQUALIFIED CONTRACTORS CURRENT CAPACITY**

In order for the Department to have the information required to determine a prequalified bidder's Current Capacity, it is necessary that the prequalified contractor certify the total dollar amount of all work the contractor has underway. This certification shall be accomplished electronically by submitting the Certification of Work Underway (Online Web Application) [http://www.dot.state.fl.us/cc-admin/PreQual\\_Info/prequalified.shtm](http://www.dot.state.fl.us/cc-admin/PreQual_Info/prequalified.shtm) to the Department concurrently with the bid submittal for the first letting in the calendar month that the contractor submits a bid.

### **EXECUTION OF CONTRACT**

Pursuant to Subsections 3-6 and 3-7 of the Standard Specifications, the successful bidder shall execute the necessary contract documents and return the agreement along with a satisfactory Performance and Payment Bond within ten (10) Calendar days of award, excluding Saturdays, Sundays, and state holidays, unless noted otherwise in the project specifications. A 100% Payment and Performance Bond will be required for all projects unless noted otherwise in the project specifications. All work is to be done in accordance with the Plans, special Provisions of the State of Florida Department of Transportation.

**Important note:** Actual commitment and final execution of the contract is contingent upon an approved legislative budget and funds availability.

### **PROPOSAL REVISIONS**

The Department will accept legible facsimile (fax) proposal revisions pursuant to the project specifications at Fax No. (813) 975-6611, if received in full by 2:30 pm Local Time on the day of the letting. A faxed proposal revision will not be considered if received at a different fax number. The bid/proposal must be received in the District Contracts and Procurement Office prior to receiving changes through the Fax.

Note: For all other fax transmittals, please use our regular fax # (813) 975-6191

### **DBE PARTICIPATION**

Disadvantaged Business Enterprise (DBE) Availability Goal Information is contained in the Bid Solicitation Package. Please complete, sign, and return the applicable "Anticipated DBE Participation Statement" form and the "DBE/MBE Bid Opportunity List" form which shall be submitted with bid as stipulated in the subject bid packages.

### **DEBARMENT/SUSPENSION**

All bids submitted to the Department shall include a statement that by signing and submitting this proposal, the bidder certifies that no principal (which includes officers, directors or executives) is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

### **MANDATORY PRE-BID CONFERENCE**

Proposal forms (bid packages) will be issued only to attendees of the mandatory pre-bid conference (if there is a mandatory pre-bid conference for a project).

### **LATE ARRIVALS TO MANDATORY PRE-BID MEETINGS**

All bidders must be present and signed in prior to the start of the mandatory prebid meeting. Anyone not signed in at the commencement of the meeting will be considered late and will not be allowed to bid on the project.

### **FIRST TIME BIDDERS**

Bidders bidding for the first time with the Department can request an orientation meeting to obtain information about the bidding/contracting process. Contact the office listed for ordering plans. Please call (813) 975-6036 or (800) 226-7220 for further details.

## **BID QUESTIONS**

Direct questions regarding the advertised projects by posting them to the Department website at the following URL address: <http://www2.dot.state.fl.us/construction/bidquestionmain.asp>

## **CONSTRUCTION**

PROPOSAL ID: **E7G62** PROJECT(S): 25718615201 (\*) COUNTY: CITRUS

### **DESCRIPTION:**

The Improvements under this Contract consist of Milling and Resurfacing of SR 45 (US 41) from SR 44 to SR 200 in Citrus County. This project also includes minor drainage improvements, signal loop replacement, and signing and marking. Contractors must be Pre-Qualified in Hot Plant Mix-Bituminous Course. There is no charge for the plans and specs for this project.

PLEASE NOTE: Chapter 2010-147, Section 50, Laws of Florida, providing for preference to residents of the State of Florida, requires each contract that is funded by state funds must contain a provision requiring the contractor to give preference to the employment of state residents in the performance of the work on the project if state residents have substantially equal qualifications to those of nonresidents. As used in this Section, the term substantially equal qualifications means the qualification of two or more persons among whom the employer cannot make a reasonable determination that the qualifications held by one person are better suited for the position than the qualifications held by the other person or persons.

- Contract Days: 160
- Contract Execution Days: 10
- Proposal Package Fee(plans+proposal): \$0.00
- Budget Amount: \$2,660,987.00
- Acquis/Flexible Start Time: Acquis: 15 days
- Plans Only Fee: \$0.00
- Specs Only Fee: \$0.00

## **MAINTENANCE**

PROPOSAL ID: **E7G78** PROJECT(S): 42042115204 (\*) COUNTY: HERNANDO PASCO  
HILLSBOROUGH PINELLAS

### **DESCRIPTION:**

CLEANING AND PAINTING OF BARRIER WALLS AT VARIOUS LOCATIONS IN DISTRICT 7. NOTE: Contract will be awarded for the budget amount of \$225,000. Bid Prices received will be used to determine low bid and to establish unit costs for actual payment for work performed

- Contract Days: 365
- Contract Execution Days: 10
- Proposal Package Fee(plans+proposal): \$0.00
- Budget Amount: \$225,000.00
- Acquis/Flexible Start Time: 14 ACQ
- Plans Only Fee: \$0.00
- Specs Only Fee: \$0.00

## **BID BOND**

For all bids in excess of **\$150,000.00**, the standard Proposal Guaranty of 5% of the bid is required. This Proposal Guaranty is to be in the form of either a certified check, cashier's, trust company treasure's check, bank draft of any national or state bank, or surety bid bond made payable to the Florida Department of Transportation from a surety company or bonding agent authorized to do business in the State of Florida. Failure to provide a Proposal Guaranty or providing a Proposal Guaranty in an amount less than 5% of the bid will invalidate the bid. The Proposal Guaranty amount shall include all bid items except construction days for A+B Bidding and lane closures for Lane-Rental Bidding. Paper bid bonds shall conform to DOT Form 375-020-09 and shall be provided with the bid. Surety2000 or SurePath electronic bid bonds may be used in conjunction with Bid Express internet bid submittals. For more information on electronic bid bonds, please visit <http://www.surety2000.com> for Surety2000 or <http://www.insurevision.com> for SurePath. Paper bid bonds may also be used in lieu of electronic bid bonds for bids submitted through Bid Express provided they are received prior to the deadline for receiving the bid at the location(s) identified in the Bid Solicitation Notice relative to where the bids are to be delivered for the advertised project(s).

**NOTE:** For bids of \$150,000.00 or less or for bid bonds presented in the form of a check, contractors are required to submit with their bid a current Proposal Guaranty Letter from a surety company or bonding agent authorized to do business in the State of Florida and written on official surety company letterhead or official bonding agent letterhead to document said bidder's present ability to obtain a performance and payment bond in the amount of their bid.

If a current Proposal Guaranty Letter is not submitted with the bid, the Department will also accept such a letter provided it is received by close of business on the sixth (6th) calendar day following the bid opening.

Failure to provide such a letter for bids of \$150,000.00 or less or for bid bonds presented in the form of a check will invalidate the bid.

For bids in excess of \$150,000.00, the standard proposal guaranty of 5% of the bid will be required as noted previously.

## **POSTING NOTICE**

Unless otherwise notified by certified mail, express delivery, hand delivery, fax, or email, receipt acknowledgment, the Summary of Bids will be posted at the District Contracts Administration web site <http://www.dot.state.fl.us/contractsadministrationdistrict7/>, and select letting date from the District 7 Lettings Menu, on **September 01, 2010** or in the alternative **September 08, 2010**. Additionally a hard copy will be posted on the Front Lobby Bulletin Board of the District Seven Headquarters, Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612, and will remain posted for a period of seventy-two (72) hours. By calling (813) 975-6036, during each posting period, information concerning the posted projects can be obtained. The posting provides notice of the Department's intent to award a contract or reject all bids. The Department's Notice of Intent regarding a project will be posted on only one of the alternate posting dates. Bidders are solely responsible for timely monitoring or otherwise verifying on which of the specified alternate posting dates the posting of award or rejection of all bids actually occurs.

If the posting dates are revised, all bidders for the subject project will be notified of the Department's intended decision. Bidders must acknowledge receipt of the notice of the revised date.

## **AFFIRMATIVE ACTION (EQUAL EMPLOYMENT OPPORTUNITY)**

The Florida Department of Transportation (hereinafter referred to as the "Department"), in accordance with Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4 and related authorities, Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation issued pursuant to such Act, hereby notifies all bidders that the Department will affirmatively insure that in any contract entered into pursuant to this advertisement, minority and disadvantaged business enterprises will be afforded the full opportunity to submit bids in response to this invitation and will not be discriminated against on the basis of race, color, national origin, religion, sex, age, or disability/handicap in consideration for an award. Further, it is the policy of the Department to not discriminate against bidders on the grounds of race, color, national origin, religion, sex, age, or disability/handicap in consideration for an award. No company will be awarded a contract unless they have an approved DBE Affirmative Action Program Plan. Please review the "DBE Bid Package" and the Special Provisions for instructions for submission of a DBE Affirmative Action Plan.

## **CORRECTIONS**

All prospective bidders are urged to always read the second (subsequent) newspaper advertisement as any error noted in the first (original) newspaper advertisement will be corrected in the second printing.

## **MINIMUM WAGE**

The minimum wage for all hours worked in Florida shall be \$7.25 per hour, effective July 24, 2009.

## **EMAIL SUBSCRIPTION LIST**

To get on the e-mail subscription list, go to <http://www2.dot.state.fl.us/ContractsAdministration/bsnmail.asp> and fill out the necessary information to "Subscribe". To obtain information concerning other districts, go to <http://www.dot.state.fl.us/cc-admin/distco.shtml>

## **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**

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**John D. Ellis**  
**District Contracts Administrator**  
**(813) 975-6036 or (800) 226-7220 Ext. 6036**

## **NOTICE TO ALL BIDDERS**

To report bid rigging activities call: 1-800-424-9071

The U.S. Department of Transportation (DOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to

5:00 p.m. local time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.